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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,100	10/21/2002	Martin Philip Usher	11696.0054	1690

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Stuart T F Huang
Steptoe & Johnson
Box PTO
1330 Connecticut Avenue N W
Washington, DC 20036

EXAMINER

DOAN, KIET M

ART UNIT PAPER NUMBER

2617

DATE MAILED: 05/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/069,100

Applicant(s)

USHER ET AL.

Examiner

Kiet Doan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-18 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 9,10,12,13,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 11 and 14 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is response to Remarks file on 03/16/2006.

Claims 9-11 and 13 are amended.

Response to Amendment

The amendment filed 03/16/2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: In claim 9 applicant's amended "simultaneously suspending" and in claim 13 amended "simultaneously discontinue". Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 9 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Regarding claims 9 amended "simultaneously suspending" and claims 13 amended "simultaneously discontinue".

The claim contains subject matter that was not adequately described in the specification.

Response to Arguments

Applicant's arguments filed 03/16/06 have been fully considered but they are not persuasive.

In response to amended claims 9 and 13 the recited of "plurality of users through the moveable network".

Examiner respectfully disagrees, in Zicker reference teach plurality of users through the moveable network" (C9, L55-64, Fig.2 Illustrate No. 50 as plurality of users which located in the aboard a vehicle).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9-10, 12-13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zicker (Patent No. 6,314,286) in view of McConnell et al. (Patent No. 6,633,636)

Consider **claims 9, 13 and 16**. Zicker teaches a method for facilitating telephone traffic between a fixed cellular network and a movable network (C4, L28-38, Fig.1,

Illustrate ground station No.36 as fixed cellular network and No.30 as movable network (aboard a vehicle), comprising: configuring a ground-based host node to forward incoming calls from the fixed cellular network to the a plurality of users through the moveable network, and to forward outgoing calls from the plurality of users (C3, L57-67, C4, L1-58 teach the ground station provide communication to subscriber/users and further cited in C9, L55-64 as Fig.2 Illustrate No.50 as plurality of users). Zicker teaches the limitation of claim as discuss **but silent on** simultaneously suspending, in response to a control signal, forwarding incoming calls to the plurality of users;

wherein said suspending forwarding incoming calls does not disconnect a call in progress between any of the plurality of users and the fixed network.

In an analogous art, McConnell teaches "Integrated wireless and private branch exchange communication network". Further, **McConnell teaches** simultaneously suspending, in response to a control signal, forwarding incoming calls to the plurality of users; wherein said suspending forwarding incoming calls does not disconnect a call in progress between any of the plurality of users and the fixed network (C2, L40-56, C7, L7-41, Fig.4, Illustrate steps of receiving (incoming call) wherein suspend and forwarding call to users).

Therefore, it would have been obvious at the time that the invention was made that person having ordinary skill in the art to modify Zicker and McConnell system, such that telephone traffic between a fixed cellular network and a movable network aboard a vehicle and simultaneously suspend, forward incoming calls to the a user through the

moveable network without disconnect call, to provide means for secure call and uninterrupted communication in moving traffic.

Consider **claim 10**. McConnell teaches the method wherein said configuring comprises registering routing information for a telecommunications device associated with the each of the plurality of users aboard the vehicle (C4, L65-67, C5, L1-35, Fig.2, Illustrate HLR that containing subscriber data base wherein registering routing information for a telecommunications device).

Consider **claims 12 and 15**. McConnell teaches the method wherein said suspending incoming calls comprise de-registering the routing information (C5, L25-48, teach HLR wherein can be register/de-register the routing information).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863.

The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kiet Doan
Patent Examiner



CHARLES APPIAH
PRIMARY EXAMINER